

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

THERESA GLADWELL MILBURN

PLAINTIFF

V.

CIVIL ACTION NO. 3:22-CV-693-DPJ-LGI

COMMISSIONER OF SOCIAL SECURITY

RESPONDENT

ORDER

This appeal from a denial of disability benefits by the Commissioner of Social Security is before the Court on the Report and Recommendation [11] of United States Magistrate Judge LaKeysha Greer Isaac. For the reasons below, the Court affirms the decision of the Commissioner.

I. Relevant Facts and Proceedings

Petitioner applied for benefits, claiming she was disabled by various health conditions. The administrative law judge found she has “the residual functional capacity to perform sedentary work” with certain limitations. R&R [11] at 2. Petitioner sought review from the Appeals Council, which denied her request on October 7, 2022. Denial Ltr. [4-1] at 5. Petitioner timely appealed to this Court, and her appeal was fully briefed. On November 27, 2024, the Magistrate Judge recommended affirming the decision below, and Petitioner has filed no objection to that recommendation.

II. Standard

On review of a magistrate judge’s R&R under 28 U.S.C. § 636(b)(1), the Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Accord* Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the

magistrate judge with instructions.”). “When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Id.*, advisory committee’s note.

### III. Conclusion

Having reviewed the briefs and record, the Court finds no clear error in the Magistrate Judge’s well-reasoned recommendation [11], which it adopts. The decision of the Commissioner is affirmed, and this action is dismissed. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

**SO ORDERED AND ADJUDGED** this the 30th day of December, 2024.

*s/ Daniel P. Jordan III*  
UNITED STATES DISTRICT JUDGE